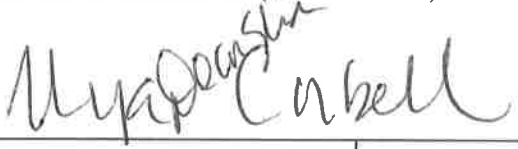


B1040 (FORM 1040) (12/15)

FILED JUN 17 2022 PM 4:25 USDC-CD

<b>ADVERSARY PROCEEDING COVER SHEET</b> (Instructions on Reverse)		<b>ADVERSARY PROCEEDING NUMBER</b> (Court Use Only)		
<b>PLAINTIFFS</b> MYA DEIONSHAI CORBETT 1183 UNIVERSITY DR #105227 BURLINGTON NC 27215	<b>DEFENDANTS</b> TOWRIFIC TOWING & RECOVERY 919-271-3364 OAKTREE FINANCE LLC			
<b>ATTORNEYS</b> (Firm Name, Address, and Telephone No.)	<b>ATTORNEYS</b> (If Known) - STEVEN WALKER OF WALKER KIGER 984-200-1930 100 PROFESSIONAL CT SUITE 102 GARNER NC GARNER NC 27529			
<b>PARTY</b> (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	<b>PARTY</b> (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input checked="" type="checkbox"/> Other <input type="checkbox"/> Trustee			
<b>CAUSE OF ACTION</b> (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) Debtor is requesting return and recovery of 2011 Dodge Charger from Towrific Towing & Recovery and Oaktree Finance LLC, which Towrific is charging approximately \$2000 in fees as of today and filed a false Lt-260 to DMV. SEE ATTACHMENT				
<b>NATURE OF SUIT</b> (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border: none;"> <b>FRBP 7001(1) – Recovery of Money/Property</b>  <input checked="" type="checkbox"/> 11-Recovery of money/property - §542 turnover of property  <input type="checkbox"/> 12-Recovery of money/property - §547 preference  <input checked="" type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer  <input type="checkbox"/> 14-Recovery of money/property - other   <b>FRBP 7001(2) – Validity, Priority or Extent of Lien</b>  <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property   <b>FRBP 7001(3) – Approval of Sale of Property</b>  <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)   <b>FRBP 7001(4) – Objection/Revocation of Discharge</b>  <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)   <b>FRBP 7001(5) – Revocation of Confirmation</b>  <input type="checkbox"/> 51-Revocation of confirmation   <b>FRBP 7001(6) – Dischargeability</b>  <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims  <input checked="" type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud  <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny   <div style="text-align: center;">(continued next column)</div> </td> <td style="width: 50%; vertical-align: top; border: none;"> <b>FRBP 7001(6) – Dischargeability (continued)</b>  <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support  <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury  <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan  <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce/scp property settlement/deed  <input type="checkbox"/> 65-Dischargeability - other   <b>FRBP 7001(7) – Injunctive Relief</b>  <input type="checkbox"/> 71-Injunctive relief – reinstatement of stay  <input type="checkbox"/> 72-Injunctive relief – other   <b>FRBP 7001(8) Subordination of Claim or Interest</b>  <input type="checkbox"/> 81-Subordination of claim or interest   <b>FRBP 7001(9) Declaratory Judgment</b>  <input type="checkbox"/> 91-Declaratory judgment   <b>FRBP 7001(10) Determination of Removed Action</b>  <input type="checkbox"/> 01-Determination of removed claim or cause   <b>Other</b>  <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i>  <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)           </td> </tr> </table>			<b>FRBP 7001(1) – Recovery of Money/Property</b> <input checked="" type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input checked="" type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other  <b>FRBP 7001(2) – Validity, Priority or Extent of Lien</b> <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property  <b>FRBP 7001(3) – Approval of Sale of Property</b> <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)  <b>FRBP 7001(4) – Objection/Revocation of Discharge</b> <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)  <b>FRBP 7001(5) – Revocation of Confirmation</b> <input type="checkbox"/> 51-Revocation of confirmation  <b>FRBP 7001(6) – Dischargeability</b> <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input checked="" type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny  <div style="text-align: center;">(continued next column)</div>	<b>FRBP 7001(6) – Dischargeability (continued)</b> <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce/scp property settlement/deed <input type="checkbox"/> 65-Dischargeability - other  <b>FRBP 7001(7) – Injunctive Relief</b> <input type="checkbox"/> 71-Injunctive relief – reinstatement of stay <input type="checkbox"/> 72-Injunctive relief – other  <b>FRBP 7001(8) Subordination of Claim or Interest</b> <input type="checkbox"/> 81-Subordination of claim or interest  <b>FRBP 7001(9) Declaratory Judgment</b> <input type="checkbox"/> 91-Declaratory judgment  <b>FRBP 7001(10) Determination of Removed Action</b> <input type="checkbox"/> 01-Determination of removed claim or cause  <b>Other</b> <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)
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<input checked="" type="checkbox"/> Check if this case involves a substantive issue of state law	<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23			
<input type="checkbox"/> Check if a jury trial is demanded in complaint	Demand \$ 50000.00			
Other Relief Sought DEBTOR ASKED FOR RECOVERY OF 2011 CHARGER OR COST, & COST OF RIM & TIRES ,DAMAGES FOR FILING FALSE LT-260 TO DMV,COST OF REPAIRS DEBTOR PAID AND DAMAGES FOR NON USE OF CAR.				

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BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES			
NAME OF DEBTOR <b>MYA DEIONSHAI CORBETT</b>		BANKRUPTCY CASE NO. <b>22-10293</b>	
DISTRICT IN WHICH CASE IS PENDING <b>MIDDLE DISTRICT OF NC</b>	DIVISIONAL OFFICE <i>Greensboro</i>	NAME OF JUDGE	
RELATED ADVERSARY PROCEEDING (IF ANY)			
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.	
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISIONAL OFFICE	NAME OF JUDGE	
SIGNATURE OF ATTORNEY (OR PLAINTIFF) 			
DATE <b>JUNE 17, 2022</b>	PRINT NAME OF ATTORNEY (OR PLAINTIFF) <b>MYA DEIONSHAI CORBETT</b>		

## INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, if it is required by the court. In some courts, the cover sheet is not required when the adversary proceeding is filed electronically through the court's Case Management/Electronic Case Files (CM/ECF) system. (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

**Plaintiffs and Defendants.** Give the names of the plaintiffs and defendants exactly as they appear on the complaint.  
**Attorneys.** Give the names and addresses of the attorneys, if known.  
**Party.** Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.  
**Demand.** Enter the dollar amount being demanded in the complaint.

**Signature.** This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not presented by an attorney, the plaintiff must sign.

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
101 S EDGEWORTH STREET  
GREENSBORO NC 27401

IN RE: BANKRUPTCY CASE 22-10293  
ADVERSARY PROCEEDING

PLAINTIFFS

VS

DEFENDANTS

MYA DEIONSHAI CORBETT

TOWRIFFIC TOWING & RECOVERY

DEBTOR

MYA DEIONSHAI CORBETT

OAKTREE FINANCE LLC

ATTORNEY

STEVEN WALKER WALKER KIGER

DEBTOR FILES THIS PETITION FOR ADVERSARY PROCEEDING FOR RECOVERY OF 2011 DODGE CHARGER ON FRIDAY, JUNE 17, 2022 AND DAMAGES FOR CREDITOR VIOLATING CHAPTER 13 AUTOMATIC STAY AND EXPENSES AND DAMAGES FOR NON USE OF THE VEHICLE ALL THIS TIME AND AN ACCRUING DEBT ON THE WHEELS ON THE CAR WHICH BELONG TO RIMTYME, 3171 HILLSBOROUGH RD, DURHAM NC.

UNDER \$542 TURNOVER OF PROPERTY, \$548 FRAUDULENT TRANSFER AND DISCHARGEABILITY FRBP 7001(6) FRAUD, FALSE PRETENSES & FALSE REPRESENTATIONS WERE COMMITTED BY A REPRESENTATIVE OF CREDITOR OF OAKTREE FINANCE LLC ,

BY TOWRIFFIC TOWING & RECOVERY BY THE FILING OF A LT-260 FORM VIA THE NC DMV ON THE SAME DATE TOWRIFFIC TOWING & RECOVERY REPOSSESSED THE CAR.

THE NC DMV RULE FOR THIS LT-260 FORM UNDER PENALTY IS IT IS TO BE FILED 10 DAYS AFTER HOLDING THE CAR AND THE CAR IS ABANDONED BY THE OWNER. THE CAR WAS NEVER ABANDONED BY THE OWNER AND ON THE DATE OF THE REPOSSESSION THE OWNER/DEBTOR WENT TO THE ORIGINAL REPAIR SHOP, BLACK TIRE, 904 HWY 64, APEX, NC TO RECOVER THE CAR AND WAS TOLD THAT BLACK TIRE HAD SPOKEN TO TOWRIFFIC AND THEY WOULD BE IN LEGAL TROUBLE IF THEY GAVE THE DEBTOR OWNER THEIR CAR BACK.

**MYA DEIONSHAI CORBETT**

**CASE NO: 22-10293**

ON JULY 27, 2021 DEBTOR PURCHASED A 2011 DODGE CHARGER AND FINANCED IT THROUGH OAKTREE FINANCE LLC FOR THE AMOUNT OF 16,212.00.

THE DEBTOR HAS PAID OVER \$8000.00 IN REPAIRS ON THE VEHICLE INCLUDING \$3000. THE FIRST MONTH WHICH WAS A TIRE ISSUE AND HAD TO BE RESOLVED IN ORDER TO DRIVE THE VEHICLE SAFELY FOR WHICH THE DEBTOR HAS REPAIR SHOP RECEIPTS.

DEBTOR CONTACTED OAKTREE FINANCE IN JULY, 2021 FOR A DEFERRED PAYMENT, ETC TO ASSIST DEBTOR AS TO NOT GET BEHIND ON PAYMENTS IN THE FUTURE BUT WAS DENIED ANY ASSISTANCE OR PAYMENT DEFERRMENT.

ON JUNE 8, 2022 DEBTOR FILED PETITION FOR CHAPTER 13 BANKRUPTCY RELIEF ON 2011 DODGE CHARGER AND STATEMENT OF INTENTION TO KEEP THE VEHICLE AND MAKE PAYMENTS UNDER CHAPTER 13 PLAN."

DEBTOR CAME TO THE REPAIR SHOP ON JUNE 8, 2022 TO RECLAIM THE VEHICLE AND PAY, BUT THE REPAIR SHOP, BLACK TIRE STATED THEY COULD NOT GIVE THE DEBTOR HER VEHICLE, BECAUSE THEY HAD TO GIVE IT TO TOWRRIFIC TOWING & RECOVERY.

DEBTOR RETRIEVED BABY'S CAR SEAT, BELONGINGS AND LICENSE TAG OFF THE VEHICLE ON JUNE 8, 2022 AT BLACK TIRE, 904 HWY 64, APEX NC 27284 BECAUSE BLACK TIRE WOULD NOT ALLOW DEBTOR TO RETRIEVE CAR.

TOWRRIFIC TOWING & RECOVERY REPOSSESSED THE VEHICLE ON JUNE 8, 2022 OR JUNE 9, 2022, THE DATE IS TO BE DETERMINED BECAUSE THE VEHICLE WAS IN THE REPAIR SHOP, BLACKS TIRE, 904 HWY 64 , APEX NC 27284 WHEN TOWRRIFIC TOOK POSSESSION OF THE 2011 DODGE CHARGER.

UNDER \$548 , ON JUNE 8, 2022 OR JUNE 9, 2022 TOWRRIFIC AFTER HAVING POSSESSION OF THE 2011 DODGE CHARGER ONE DAY OR THE SAME DAY POSSIBLY, FILED A FALSE LT-260 MECHANICS LEIN REQUEST TO THE NC DMV. WHEN THE DEBTOR HAD CAME TO THE REPAIR SHOP THE SAME DAY TO RETRIEVE THE VEHICLE AND HAD BEEN IN TOUCH WITH THE REPAIRS SHOP EVERY OTHER DAY.

DEBTOR HAS ALSO BEEN DOING BUSINESS WITH MULTIPLE BLACK TIRE REPAIR SHOPS FOR ALMOST A YEAR AND DEBTOR CONTACT INFORMATION IS ON FILE AND CONSISTENT.

THE LT-260 IS A NC DMV FORM THAT IS TO BE FILED AFTER THE TOW OR REPAIR SHOP HAS HAD POSSESSION OF THE VEHICLE FOR 10 DAYS AND IT IS UNCLAIMED AND THE TOW OR REPAIR SHOP CANNOT CONTACT THE OWNER.

TOWRRIFIC FALSE STATEMENTS INCLUDE:

- 1- TOWRRIFIC FILED LT-260 ON THE SAME DAY OR DAY AFTER REPOSSESSING VEHICLE
- 2- LT-260 STATES OWNER IS UNABLE TO BE FOUND, THIS IS UNTRUE
- 3- LT-260 STATES TOW COMPANY HAS TO HAVE THE VEHICLE 10 DAYS TO FILE THIS WAS FALSE

DEBTOR CONTACTED CREDITOR OAKTREE FINANCE LLC FOR RETURN OF VEHICLE AND RETURN OF VEHICLE RIMS AND TIRES, WHICH BELONG TO RIMTYME OF DURHAM, NC AND ARE NOT PAID FOR.

Page 3 of 3

DEBTOR OFFERED TO REPLACE TIRES WITH THE ORIGINAL TIRES AND RIMS THAT CAME ON THE VEHICLE WHEN THE VEHICLE WAS PURCHASED THROUGH OAKTREE FINANCE. OAKTREE FINANCE SAID TALK TO THEIR LAWYER,

DEBTOR CONTACTED STEVEN WALKER WHO STATED DEBTOR COULD OBTAIN THE VEHICLE WITH PROOF OF INSURANCE, TAGS AND DRIVERS LICENSE.

TOWRRIFIC STATED THE BANKRUPTCY COURT HAD TO CALL THEM PERSONALLY AND THAT OAKTREE FINANCE LLC HAD TO DO A RELEASE, FOR WHICH OAKTREE FINANCE LLC EMAILED DEBTOR OF COURSE ALL CORRESPONDENCE GOES THROUGH THE LAWYER.

TOWRRIFIC TOWING & RECOVERY REFUSED RETURN OF THE VEHICLE AND REQUESTED FEES OF OVER \$1500.00, AND \$50.00/DAY WHICH AS OF TODAY ARE ESTIMATED TO BE AROUND \$2000.00.

TOWRRIFIC STATES THEY WANT A STATEMENT FROM OAKTREE FINANCE LLC TO RELEASE THE VEHICLE AND OAKTREE FINANCE LLC STATED DEBTOR CONTACT THE LAWYER STEVEN WALKER.

SO IN ESSENCE, THE DEBTOR HAS BEEN GETTING THE RUNAROUND FROM TOWRRIFIC AS TO RECOVERY OF THE 2011 DODGE CHARGER VEHICLE.

DEBTOR REQUESTS RETURN OF THE VEHICLE, 2011 DODGE CHARGER, DAMAGES IN THE AMOUNT OF \$50,000.00.

\$26,000 FOR FRAUDULENT STATEMENT BEING FILED AGAINST DEBTOR TO THE NC DMV STATING DEBTOR ABANDONED HER CAR TO TOWRRIFIC FOR OVER 10 DAYS AND TOWRRIFIC COULD NOT GET IN TOUCH WITH HER, DAMAGES FOR THE RETURN OF THE WHEELS/RIMS ON THE CAR THAT BELONG TO RIMTYME IN THE AMOUNT OF APPROXIMATELY \$2500.00, \$8000.00 FOR THE REPAIRS ALREADY MADE ON THE CAR AND \$16,212.00 FOR THE VALUE OF THE CAR AND DAMAGES FOR NOT BEING ABLE TO USE THE 2011 DODGE CHARGER FOR WORK, DOCTORS APPOINTMENTS, ETC. AND STRESS AND WORK OF HAVING TO FILE A CASE WITH THE NC DMV ON THIS FALSE LT-260 CLAIM AND THIS COMPANY TOWRRIFIC WAS OBTAINED AND HIRED BY THE CREDITOR OAKTREE FINANCE.



DEBTOR: MYA DEIONSHAI CORBETT

DATED:

JULY 17, 2022